

## 06/30/04

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## EXPRESS MAIL LABEL NO.: EV333997145US

## SWMC-001DIV Attorney Docket Confirmation No. 5480 RESPONSE TO NOTICE OF NON-**COMPLIANT AMENDMENT** First Named Inventor Akira Takashima 10/680,670 Application Number Address to: **OCTOBER 6, 2003** Filing Date Commissioner for Patents 1639 Group Art Unit P.O. Box 1450 T. WESSENDORF **Examiner Name** Alexandria, VA 22313-1450 Title "MODULATORS OF POLYSACCHARIDES AND

**USES THEREOF"** 

Sir:

In response to the Notice of Non-compliant Amendment dated June 16, 2004, attached hereto is a Substitute Preliminary Amendment. A one-month period for response to the Notice of Non-compliant Response was given making this response due on or before July 16, 2004. As such, this response is timely filed.

The substitute preliminary amendment is the same as the original preliminary amendment except that the status is identified for claim 26. A complete listing of all of the claims is present in the revised amendment, and, accordingly, the Applicants respectfully submit that the revised amendment is compliant.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number SWMC-001DIV.

Respectfully submitted, BOZICEVIC, FIELD & FRANCIS LLP

Date: June 28, 2004

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By:

James S. Keddie, Ph.D. Registration No. 48,920 JUN 2 8 2004 PADEMARKET

06/28/04

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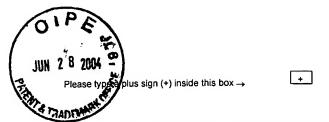
## SUBSTITUTE PRELIMINARY AMENDMENT

Attorney Docket SWMC-001DIV Confirmation No. 5480 First Named Inventor Akira Takashima Application Number 10/680,670 OCTOBER 6, 2003 Filing Date Group Art Unit 1639 Examiner Name T. WESSENDORF **MODULATORS OF** Title POLYSACCHARIDES AND USES **THEREOF** 

Address to:
Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the application on the merits, please enter the following amendments.



PTO/SB/21 (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Citaci dici apelitici in cascatti in casca		Application Number	10/680,670
TRANSMITTAL FORM		Filing Date	October 6, 2003
		First Named Inventor	TAKASHIMA, AKIRA
		Group Art Unit	1639
(to be used for all correspondence after initial filing)		Examiner Name	WESSENDORF, TERESA D.
140		Attorney Docket Number	SWMC-001DIV
Total Number of Pages in This Submission   10			
Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Documents Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Assign  for an  Drawir  Licens  Petitio  Petitio  Power  Chang  Addree  Termir  Reque	ament Papers Application) ag(s) ing-related Papers  n n to Convert to a ional Application of Attorney, Revocation ag of Correspondence	After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences  Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please identify below):  1. Copy of Notice of Non-compliant amendment 2. Revised Amendment 3. Response to Notice of Non-Compliant Response 4. Postcard
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Signing Attorney/Agent (Reg. No.)  JAMES S. KEDDIE, PH.D., 48,920 ABOZICEVIC, FIELD & FRANCIS LUR			
Signature James S Walle			
Date June 28, 2004			
EXPRESS MAIL LABEL NO. EV333997145US			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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